

REMARKS

Claims 12-16 and 20-22 have been withdrawn from consideration. Claims 1-5 have been objected to. Claims 1-6, 8-11 and 17-19 have been rejected under 35 U.S.C. §102(a or e) over Mizuno et al. (US Patent 6,569,084). Claim 1-5, 7, 9 and 11 have been rejected under 35 U.S.C. §102(b) over Costella (US Patent 4,696,544). Claims 1-11 and 17-19 have been amended hereby. Claims 12-16 have been cancelled hereby. Claims 23-31 have been added hereby. Reconsideration of the present application is respectfully requested in light of the above amendments and below remarks.

In paragraph 3 of the Final Office action, claims 1-5 have been objected to since the remote controller of claim included the insert portion. Claim 1 has been amended to recite that an endoscope body includes the insert portion, not the remote controller. This recitation of the present invention is support by the present specification at least in Figure 7. Withdrawal of the objection to claims 1-5 is therefore respectfully requested.

In paragraph 5 of the Final Office Action, claims 1-6, 8-11 and 17-19 have been rejected under §102 over Mizuno. Applicants respectfully traverse this rejection.

Independent claim 1 requires “a linking portion which detachably links the remote controller and a peripheral portion at the proximal opening end of the manipulating device inserting channel.” Independent claim 9 requires “a connecting device which detachably mounts the flexible bending operation portion to the insert portion at the manipulating device inserting channel.” Independent claim 17 requires “a linking portion which detachably links the controller and the intermediate linking portion.” Independent claim 23 requires “a connecting device ... into which the immediate linking portion is removably fit.” In both claims 17 and 23, it is noted that

the proximal opening of the manipulating device inserting channel is found in the intermediate linking portion.

As previously argued by Applicants, Mizuno does not teach that the controller and the endoscope body are not detachably (removably) connected. Mizuno teaches that its endoscope manipulation unit 18 is **integrally** formed with the holding portion 25. The endoscope manipulation unit 18 and the holding portion 25 in Mizuno are further held in the endoscope holder 16 (col. 5, lines 35 -62). There is no disclosure or suggestion in Mizuno that the manipulation unit 18 can be detached from the holding portion 25 or the endoscope holder 16.

Applicants respectfully submit the claims as presently recited in the application fully distinguish over Mizuno. In response to Applicants previous argument, the Final Office Action stated, in essence, that the claims as previously presented were broad enough read on any detachable connection between the controller and the end of the insert device. As presently recited in each of the independent claims, though, there is an express detachable (or removable) connection between the controller and the portion of the endoscope body that includes the proximal open end of the manipulation device inserting channel. The Final Office action correctly states that the insert portion 2 can be detached from the linking portion 25. But, this detachable connection does not read on the present invention as recited in independent claims 1, 9, 17 and 23 that require that the proximal open end of the manipulation device insert channel is detachable from the controller. In Mizuno, even if the insert portion 2 is detached from the linking portion 25, the proximal open end of the inserting channel on the top of element 25 is still integrally attached to the controller 18.

As previously stated, one of the advantages of the present invention is that the controller and the endoscope body (including the insertion channel) can be detached and used separately (see Figure 11 of the present specification, for example). The detachable linking limitations of the present claims enable this operation. If the device in Mizuno is detached as explained as with respect to Figure 10, both the controller 18 and the insertion portion become inoperable (the motor for driving the flexible bending would be detached and therefore inoperable).

For the above reasons, applicants submit that all of the claims of the present application are patentably distinct over Mizuno and withdrawal of the rejection of the claims over this reference is respectfully requested.

In paragraph 6 of the Office Action, claims 1-5, 7, 9 and 11 have been rejected under §102) over Costella . Applicants respectfully traverse this rejection.

In rejecting the claims over the Final Office Action relied on the rejection in the previous Office Action. In that Office Action, the linking mechanism of the claims was rejected by pointing to elements 10 and 22 and the description at co. 5, line 32 through col. 6, line 8. Applicants respectfully disagree this portion of Costella reads on the detachable linking of the present claims. In Costella, element 10 is merely a holder for the fiberscope and does not perform any linking function between the operation section and the insertion channel. In Costella, the operation portion 26 (manipulating the articulation of the guide tube 20) and the insertion portion 20 are all integrally linked via the guide control body 22.. There is no teaching or suggestion that the operation portion 26 can be detached from the guide control body 22, and thus from the insertion section 20. Therefore, the manipulation unit 26 is usable only when the endoscope is held, but cannot be used independently from the insertion section 20.

Withdrawal of the rejection of the claims of the present application on the basis of Costella is therefore respectfully requested..

In view of the above amendment, applicant believes the pending application is in condition for allowance.

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Respectfully submitted,

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